UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,518	07/28/2000	Gennaro A. Cuomo	RSW9-2000-0090-US1	3351

36736 7590 04/07/2004		

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EXAMINER
MAURO JR, THOMAS J

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application N**[●]**	Applicant(s)
Advisory Action	*09/627,518*	CUOMO ET AL.
	Examiner	**Art Unit**	
	Thomas J. Mauro Jr.	2143	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 March 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a
final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in
condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued
Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP
706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension
fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension
fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or
(2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if
timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in
    37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the
        issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.
        NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment
    canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the
    application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly
    raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an
    explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: *None*.

    Claim(s) objected to: *None*.

    Claim(s) rejected: *1-5,7-15,17-20,25 and 26*.

    Claim(s) withdrawn from consideration: *None*.

8. ☐ The drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

DAVID WILEY
SUPERVISORY PATENT EXAMINER
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TJM 4/6/04

Continuation of 5. does NOT place the application in condition for allowance because: the arguments presetned are not persuasive to distinguish the current claims over the prior art of record used in the final rejection (See Final Rejection).

(A) Applicant argues that the combination of Chung and Johnson performs the hash function twice, however, the hash function is not performed in response to the first server being non-functional, i.e. first hashed value is immediately hashed again.

In response to argument (A), Examiner disagrees and asserts that the combination of Chung and Johnson do in fact teach that the second hash value is calculated from the first hash value when it is determined that the first server is non-functional. Johnson only discloses that a hash function is performed again on a value which has already been hashed. See Johnson Col. 13 lines 30-32. It is found in the Chung reference that if a first server is unavailable, i.e. non-functional, a second value is calculated. See Chung Col. 7 lines 9-12. The combination, as is interpreted by the Examiner, brings in Johnson to rehash the already hashed value in Chung only after the first server is deemed to be non-functional (See final rejection), not immediately after the first hash value is calculated, as is asserted in the diagram of the combination of Chung and Johnson submitted by the Applicant. Thus, Examiner disagrees with the Applicant's argument and reiterates that the Johnson reference, namely calculating a second hash value from a first hash value, is brought in only after the server has been determined to be non-functional, as was shown in Chung.